

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOSEPH STANLEY PIGOTT, ) Case No. C05-963-TSZ-JPD  
Petitioner, )  
v. ) ORDER DENYING PETITIONER'S  
RICHARD MORGAN, ) REQUEST FOR A BAIL HEARING  
Respondent. )

This matter comes before the Court upon petitioner's motion for a bail hearing in connection with his 28 U.S.C. § 2254 petition for habeas corpus. Dkt. No. 17. Having carefully reviewed petitioner's motion and the available record, the Court ORDERS as follows:

(1) Petitioner's motion for a bail hearing, Dkt. No. 17, is DENIED. State court judgments carry a presumption of finality and legality. *McKenzie v. McCormick*, 27 F.3d 1415, 1418 (9th Cir. 1994), *cert. denied*, 513 U.S. 1118 (1995). Petitioner's motion fails to provide a sufficient factual or legal basis for granting the relief requested. The Court therefore declines to grant a bail hearing at this time.

(2) The Clerk shall direct copies of this Order to petitioner, to counsel for respondent, and to the Honorable Thomas S. Zilly.

ORDER DENYING PETITIONER'S REQUEST FOR A  
BAIL HEARING  
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01 DATED this 13th day of September, 2005.

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04 JAMES P. DONOHUE  
05 United States Magistrate Judge  
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